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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/645,249

08/21/2003

Atsuo Takahashi

9281-4629

7554

7590 01/24/2007  
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EXAMINER

KRAUSE, JUSTIN MITCHELL

ART UNIT

PAPER NUMBER

3682

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

01/24/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/645,249	TAKAHASHI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Justin Krause	3682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 October 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 6-9 and 21-30 is/are pending in the application.
- 4a) Of the above claim(s) 25-30 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 6-9 and 21-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                        |                                                                   |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____                                                            | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

Newly submitted claims 25-30 directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: Claims 27-30 are directed to species 5, claims 25 and 26 are directed to species 4. Applicant elected species 2 in the reply filed April 27, 2006.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 25-30 withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 6-9, 21, 22, and 24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 6, the language, "[W]herein the support member has a space into which at least one spoke is inserted when the front-side casing member and the back-side casing member are mounted to the at least one spoke." It is not clear what applicant is intending to claim. Within claim 6 applicant has previously claimed that the support member has "an annular ring and spokes formed inside the ring" and applicant has also claimed, "the support member is formed by joining a front side casing member

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which is arranged at a front side of the spokes and a back side casing member which is arranged at a back side of the spokes". The support member inherently has a space if the support member has an annular ring, and applicant has previously established the presence of spokes, and the front and back side casing members that are joined are arranged on the front and back side of the spokes. It is unclear if applicant is intending to claim more spokes, which have not previously claimed, when the front and back side casing members are mounted to the at least one spoke claimed in line 2 of claim 6, if applicant intends the "at least one spoke" refers back to the previously claimed "spokes" or if applicant is repeating limitations that are previously claimed.

Claim 21 and 22, the meaning of the phrase "the space is provided in correspondence to the spokes" is unclear because it is not clear how space can correspond to anything, since everything is within "space". Also, it is unclear how one spoke, encompassed by the phrase "at least one spoke", can comprise 2 spokes (the upper and lower spokes).

### ***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

1. Claims 6-9, 21, 22, and 24, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Agetsuma (US 2002/0066658) in view of Miyako (US 2002/0033321).

Agetsuma discloses a steering switch for a vehicle comprising:

- a support member (4) which is mounted on a steering wheel (1), the steering wheel having an annular ring (1a) and spokes (1c) formed inside the ring;

- a manipulating knob (6) which is rotatably supported on the support member such that the manipulating knob is rotatable in front and rear directions of the steering wheel, the manipulating knob projecting inside a space surrounded by the ring and the spokes;

- a rotary support body (5) which is mounted on the support member and rotatably supports the manipulating knob; biasing means (15) which bias the manipulating knob such that the manipulating knob returns to a neutral position; and

- signal changeover means which are capable of changing over two kinds of electric signals in response to a rotational direction of the manipulating knob from the neutral position (paragraph 0010), wherein

- the manipulating knob, the rotary support body, the biasing means and the signal changeover means are integrally put together to form an assembled body (figure 4),

Agetsuma does not disclose the support member is formed by joining a front-side casing member which is arranged at a front side of the spoke and a back-side casing member which is arranged at a back side of the spoke, and wherein a housing which houses the assembled body therein is provided to one of the front-side casing member and the back-side casing member.

Miyako teaches a support member formed by joining a front-side casing member (4) which is arranged at a front side of the spoke and a back-side casing member (25) which is arranged at a back side of the spoke (11), and wherein a housing (12) which houses the assembled body therein is provided to one of the front-side casing member and the back-side casing member for the purpose of providing a structure to mount a switch on a steering wheel which does not need a bracket or screw and obtains a steady, stable mounting state of the switch.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the steering switch of Agetsuma and mount it to the steering wheel in the manner taught by Miyako, the motivation would have been to provide a structure to mount a switch on a steering wheel which does not need a bracket or screw and obtains a steady, stable mounting state of the switch.

The support member has a space (within the annular ring) into which at least one spoke is inserted when the front side casing member and the back side casing member are mounted to the at least one spoke.

Regarding claim 7, the housing has a positioning portion (21) on an inner wall of the housing, the assembled body being insertable into the housing so as to position the assembled body with respect to the housing is mounted.

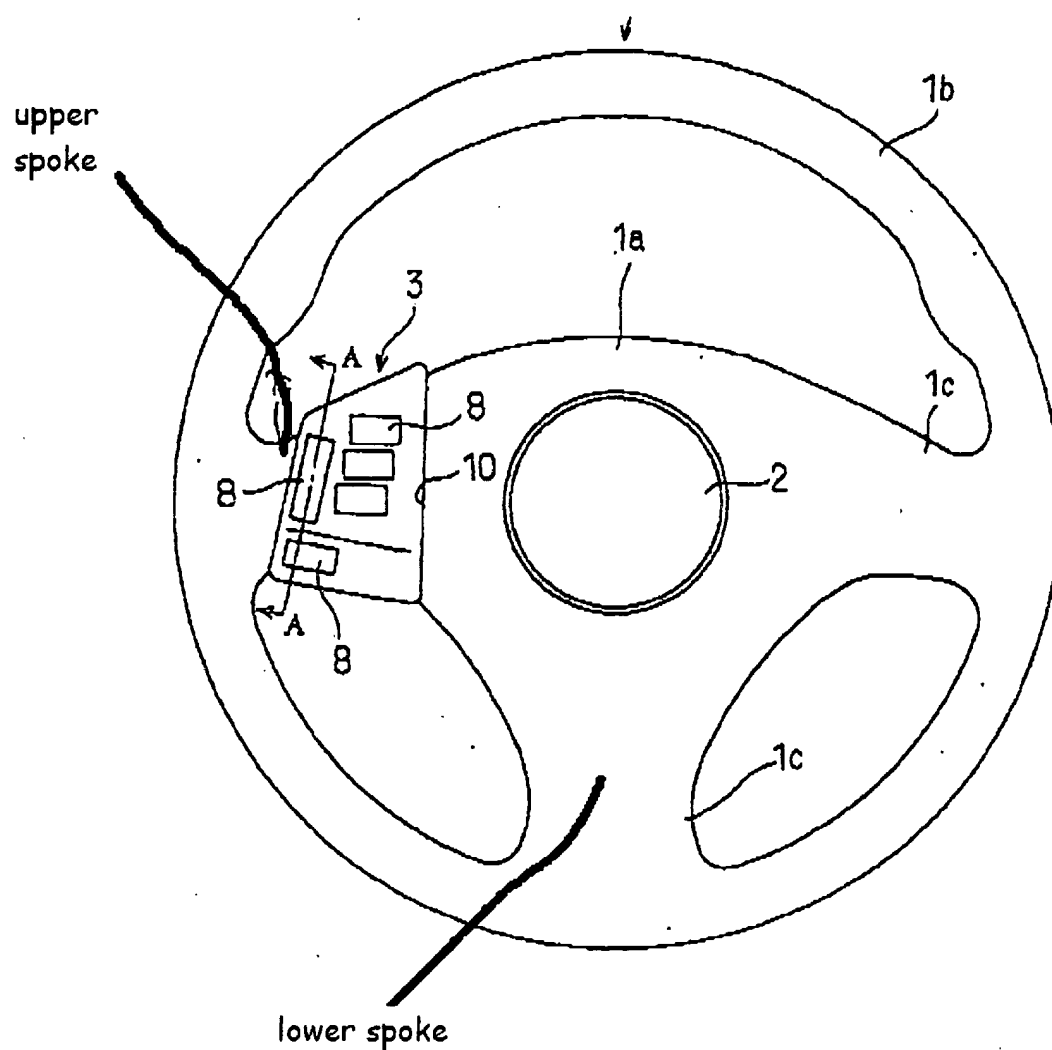
Regarding claim 8, the housing is formed on the back side casing member.

Regarding claim 9, the housing has an insertion opening for inserting the assembled body into the housing at a position which faces the front side casing

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member. The housing is mounted on the back side of the spoke, therefore the open side (insertion opening) faces the front side casing member.

Regarding claim 21, the at least one spoke comprises an upper spoke and a lower spoke and the space is provided in correspondence to the spokes.



Regarding claim 22, the support member includes a reinforcing portion (Miyako 22) which divides the space into a space corresponding to the upper spoke and a space corresponding to the lower spoke and bridges between the front side casing member and the back side casing member.

Regarding claim 23, the front side and back side casing members are connected by snap fitting. (see Miyako fig 3)

Regarding claim 24, the front side casing member and the back side casing member are directly connected to the at least one spoke. (See Miyako fig 3)

### ***Response to Arguments***

Applicant's arguments filed October 13, 2006 have been fully considered but they are not persuasive.

Applicant argues that the prior art of record does not disclose the claimed structure set forth in the amended claims. The amended claims are indefinite such that it is unclear what exactly applicant is claiming as the invention. As currently written the combination of Agetsuma and Miyako remains readable on the claimed invention. The term "space corresponding to . . ." is so broad as to encompass everything within the universe.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).



A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin Krause whose telephone number is 571-272-3012. The examiner can normally be reached on Monday - Friday, 7:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Ridley can be reached on 571-272-6917. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JMK  
1/20/07

  
RICHARD RIDLEY  
SUPERVISORY PATENT EXAMINER